

## CUSTODY OF DETAINEES RECEIVING TREATMENT AT A MEDICAL FACILITY

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**Approved By:** Kenneth Burton Chief of Police

**CALEA 6<sup>th</sup> Edition Standard:** 70.1.1; 70.1.2; 70.2.1; 70.3.2

### **904 CUSTODY OF DETAINEES RECEIVING TREATMENT AT A MEDICAL FACILITY**

#### **904.1 PURPOSE AND SCOPE**

There are times when a person in police custody will need medical services that require admittance to or treatment at a medical facility. Due to the seriousness of the alleged crime and other possible circumstances, it may be necessary for an officer of this department to maintain custody of the prisoner until their release from the medical facility. This policy provides guidance for officers having custody of an individual receiving medical care in a hospital or other medical facility.

#### **904.2 POLICY**

It is the policy of this department to ensure the secure custody of persons arrested for certain crimes while they receive medical treatment at or are admitted to a medical facility. If the person is detained for a misdemeanor, the supervisor may authorize the release of a person to facilitate medical care and transport (policy 900.5.1). For other than misdemeanor crimes, a Bureau Commander will make the decision on whether to maintain custody of an individual or to release them from custody for the purpose of receiving medical treatment. If the decision is made to maintain custody of the person, the following shall apply:

#### **904.3 SAFETY PROCEDURES/CONSIDERATIONS**

For officer safety and the safety of others the following precautions should be followed when maintaining custody of a prisoner who is receiving treatment at or admitted to a medical facility:

- Notify Boone County Joint Communications and provide your location and activity.
- Make the on duty patrol supervisor(s) aware of your location should you need assistance or relief.
- Notify Hospital Security of your presence and location. Make sure your prisoner is listed under a fictitious name and the account listed as confidential.
- If you are on University of Missouri property, notify the University of Missouri Police Department of your location and activity should you need assistance.
- The prisoner should be searched and property removed, inventoried and properly secured as would any prisoner entering a holding facility.
- The prisoner is to have no visitors without permission from a Bureau Commander.
- The door to the room should remain closed.

# COLUMBIA POLICE DEPARTMENT

## Policy and Procedure Manual

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- One form of restraint (handcuff or leg shackle) should be on the prisoner at all times. If the prisoner is not combative the restraint may be secured to the hospital bed. When relieving another officer, it is your responsibility to ensure the prisoner is properly secured in at least one type of restraint.
- The Prisoner should not have access to a phone.
- The prisoner should not have access to a Television or the Internet.
- If the prisoner is eating solid food, check the eating utensils before and after the meal and ensure that all are accounted for (these can be used as weapons). Restricted use of utensils may be justified due to safety considerations and prisoner actions.
- The officer is not to leave the room even during exams. HIPPA does not apply when prisoners are in our direct custody.
- When possible, in cases involving a female prisoner, a female officer will be assigned to the overnight hours.
- Generally, body worn cameras do not need to be activated while the prisoner is in bed resting and restrained. However, the officer should activate the body worn camera any time the prisoner is mobile or has the restraints removed. An officer may activate his/her body worn camera any time they feel is necessary.
- Restraints may be removed when the prisoner needs to use the restroom.
- The restroom will be checked for weapons and contraband prior to the prisoner entering the restroom and, if possible, the door should not have the ability to lock.
- When a prisoner uses the restroom, the door should remain open with the officer positioned out of view of the prisoner. In cases involving a prisoner of the opposite sex, a nurse should be requested to stand by while the officer remains out of sight or a same sex officer should be requested.
- Call for a uniformed officer from CPD or UMPD (when in a facility owned by the University of Missouri) to relieve you if you need a break. Hospital security should not be used for this purpose.

#### **904.4 RELEASE FROM MEDICAL FACILITY**

Once a prisoner has been medically released by a doctor, ensure the appropriate paperwork to prove fitness for confinement and any instructions for future treatment is obtained. Ensure a copy of this paperwork is provided to the confinement facility taking custody of your prisoner. The transporting officer should conduct a thorough search of the prisoner and the area of the transport vehicle where the prisoner will be seated, prior to transport to the confinement facility. This search should be repeated at the confinement facility once the prisoner is removed from the vehicle.